

# Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

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**Case: S2003010** Russell Ranch Phase III and IV

Meeting Date: March 4, 2004

Agenda Item: 1

Supervisory District: 4

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**Owner/Applicant:** Russell Ranch LLC

**Request:** Preliminary Plat in the R1-18 RUPD Zoning District, with road waivers for the placement of the mid-section line alignments of Missouri Ave. and 183<sup>rd</sup> Ave., to allow a private residential street width of 40', and to allow a single 16-lot cul-de-sac.

**Proposed Use:** 194-lot, 29-tract single-family residential subdivision (1.49 d.u./ac.)

**Site Location:** West of Citrus Road between Bethany Home Road and Camelback Road (in the west Glendale area)

**Site Size:** 128.89 acres (gross)

**County Island Status:** Class 2 (City of Glendale)

## Summary of Conformance with Adopted Plans:

**County Plan:** The White Tank/Grand Avenue Area Plan designates the site as Large Lot Residential (1-2 d.u./ac.). This proposal is consistent with the County area plan.

**City / Town Plan:** The City of Glendale General Plan designates this site Low Density Residential (0-1 d.u./ac.) or agricultural uses. At 1.49 d.u./ac., this request does not comply with the Plan.

**Recommendation:** **Approve** with stipulations

## Description of Proposal:

1. The request seeks the approval of a preliminary plat for a single-family residential subdivision in the R1-18 RUPD zoning district. This subdivision consists of 194 lots and 29 tracts on approx. 129 gross ac. and constitutes two phases of a larger development already under construction, which was approved under cases CPA2000007, Z2000093, and S2000045. This subdivision constitutes the 3<sup>rd</sup> and 4<sup>th</sup> phases of development for the Russell Ranch project, the 1<sup>st</sup> and 2<sup>nd</sup> phases having been approved and recorded. Staff would note that the phasing of the Russell Ranch project has not precisely followed the proposed phasing schedule as indicated in the earlier entitlement activity; however, this does not appear to be a problem since the flow of development generally agrees with the direction of the original phasing.
2. Associated with this preliminary plat is a request for a road waiver to the N/S and E/W mid-section line alignments. These alignments were effectively waived with previous entitlement activity; however, to avoid any complications in this matter, the waiver request has been included here. Also included with this request is a waiver to allow a single 16-lot cul-de-sac, where 15 lots is the maximum number of lots allowed.
3. This subdivision lies between 181<sup>st</sup> Ave. and the aforementioned N/S mid-section line and extends from Bethany Home Rd. on the north to Camelback Rd. on the south. However, lots 195 through 218 are specifically not included in this preliminary plat as will be discussed later in this report.
4. This project will consist of 2 different lot size categories. Phase III, comprised of Lots 1 through 114, will range in size from 16,720 sq.-ft. to 32,000 sq.-ft., with an average lot size of 20,020 sq.-ft. These lots will also range in width from 110' to 170'. Similarly, Lots 115, through 194 will make up Phase IV, and will range in size from 13,680 sq.-ft. to 25, 000 sq.-ft., with an average lot size of 19,460 sq.-ft. The Phase IV lots will range in width from 90' to 125'.
5. Most of the lots in this subdivision will be rectangular in shape. There are 21 cul-de-sacs proposed for the subdivision, with none of exceeding 1,000 linear feet of frontage; however, one cul-de-sac will provide access to more than 15 lots, hence the related waiver. A center "spine" road will run the length of the Phase III/IV project from north to south. This center road will provide access for 3 intersecting local streets out to 181<sup>st</sup> Ave., which is the main thoroughfare through Russell Ranch. There will be 10 4-way intersections along this spine road; however, these intersections are designed with roundabouts to slow traffic. Furthermore, the Phase III and IV development will be gated, thus precluding excessive traffic in the neighborhood.

6. The zoning standards applicable to the site are as indicated in the following RUPD table, which was approved under Z2000093. **Standards that differ from the base in a more liberal manner are shown in bold print.** *Conversely, standards that differ in a more restrictive manner are in italic print.*

Development Standard	R1-18 'Base'	R1-18 RUPD Approved
<i>Average lot area per dwelling unit</i>	18,000 sq.-ft.	<i>20,320 sq.-ft.</i>
<b>Minimum front setback</b>	30'	<b>20', 30' 35' (1)</b>
<b>Minimum side setback</b>	10'	<b>10'/5' and 10'/10' (3)</b>
Minimum street side setback	15'	<b>10' (3)</b>
Minimum rear setback	30'	<b>20' (1)</b>
<b>Maximum lot coverage</b>	25%	<b>35% (2)</b>
Minimum distance between Buildings on same lot	15'	15' (3)
<b>Minimum lot size</b>	18,000 sq.-ft.	<b>12,600 sq. ft .</b>
<b>Minimum lot width</b>	120'	<b>90'</b>
Maximum building height (stories)	30' (2)	30'/ 2 stories
Required parking spaces per	2	2

- 1) Front and rear setbacks for 90' x 140' lots is 20 feet, 18,000 square foot lots is 30 feet, and ¾-acre lots will be 35 feet.
- 2) The lot coverage applies to all lot sizes, applicant foresees very large homes, with ancillary buildings on larger lots.
- 3) Separation for buildings on 90 feet lots to be 15 feet, larger lots to 20 feet.

7. With the original RUPD request, the applicant proposed to blend varying lot sizes throughout the subdivision. Varying lot sizes would allow offsets of lot lines, which along with setback variances allows for better views for the homes, a mixture of home values, and a greater variety of streetscapes. The additional area in the front would allow for more flexibility in elevation design as well as garage and driveway options. Further, the applicant stated that a variation in product types, lot size, lot width, and configurations along with a boulevard appearance to the main collector and additional landscape would create more interest than the typical Rural-43 development.
8. Upon completion, there will be five access points into the Russell Ranch development. As previously stated, the applicant had requested two road waivers for the placement of Missouri Ave. and 183<sup>rd</sup> Ave. during earlier entitlement work. The main entrance into Phases I and II of Russell Ranch is off Citrus Rd. onto Missouri Ave., which has an 80' full-width right-of-way. Missouri Ave. ends in a "T" intersection with the intent to slow traffic coming into the

subdivision. No other E/W mid-section alignment will exist for either the Russell Ranch property or that of the Savannah property to the west. The north/south alignment of 183<sup>rd</sup> Ave. alignment has been replaced with the existing 181<sup>st</sup> Ave. alignment.

### **Analysis of Conformance with Adopted Plans:**

9. **Maricopa County 2020 Comprehensive Plan:** The Comprehensive Plan designates this site as lying within the County's White Tank / Grand Avenue Area Plan. The Comprehensive Plan also states that the site is located within the municipal planning area of the City of Glendale. Under this designation, the Comprehensive Plan indicates that we will take into account the City of Glendale General Plan as long as it has been updated in the last five years with input of Maricopa County residents. Glendale's plan has recently been updated.
10. **White Tanks/Grand Avenue Area Plan:** The County Area Plan shows Large Lot Residential (1-2 d.u./ac.) for the site. Large Lot Residential is defined as greater than 1 d.u./ac., but less than 2 d.u./ac. The Large Lot Residential category denotes areas where single-family residential development is desirable and urban services such as sewer, water, school, parks, and fire and police protection may only be partially available or be required as an improvement district. Suitability is based on location, access to existing land use patterns, and natural and human constraints. At 1.49 d.u./ac., this request is in conformance with the Area Plan.
11. **City of Glendale General Plan:** The City of Glendale General Plan designates the subject site for Low Density Residential (0-1 d.u./ac.). Low Density Residential allows residences on one-acre lots or larger and agricultural uses. This request, at 1.68 d.u./ac. is not in compliance with the plan; however, the previously approved zoning case sets the development standards for this site.

### **Existing On-Site and Adjacent Zoning:**

- |     |          |                 |
|-----|----------|-----------------|
| 12. | On-site: | R1-18 RUPD      |
|     | North:   | Rural-43        |
|     | South:   | AG (Goodyear)   |
|     | East:    | R1-18 RUPD      |
|     | West:    | R1-18 and R1-10 |

### **Existing On-Site and Adjacent Land Use:**

- |     |         |                        |
|-----|---------|------------------------|
| 13. | On-site | Vacant (fallow fields) |
|-----|---------|------------------------|

North:	Arterial street (Bethany Home Rd.), then agricultural (row crops) and vacant (fallow fields), then single-family residential
South:	Vacant (fallow fields), then arterial (Camelback Rd.), then agricultural (row crops in Goodyear)
East:	Single-family residential subdivision
West:	Vacant (proposed Savannah subdivision)

## **Area Land Use Analysis:**

14. The site is located west of Citrus Rd. between Camelback Rd. and Bethany Home Rd. Immediate land uses surrounding the site consist of agriculture and single-family residences. A seven-acre retail nursery is being proposed for the northeast corner of Bethany Home Rd. and Citrus Rd. The City of Goodyear is just south of the project and the area surrounding the site is strip-annexed by the City of Glendale. The area is in transition from rural-to-suburban uses and the proposed land uses for the White Tank/Grand Avenue Area Plan designates the general area for residential use with densities ranging from 1-2 d.u./ac.
15. Luke Air Force Base (AFB) is located approximately three miles east of the site. The ACUIZ (Air Force) noise contours and the Westside Joint Land Use Study (MAG) noise contours do not extend far enough to the west to legally effect this project; however, the project does fall within the "territory in the vicinity of a military airport" and, will therefore have standard noise attenuation and notification stipulations. The Verrado Master Planned Community is located three miles to the west and Pebble Creek Master Planned Retirement Community is located three miles to the east.
16. The site has potential for natural hazards. The general area is identified in the County Area Plan as being subject to land subsidence. This is a phenomenon that may occur when porous alluvial deposits are de-watered and the weight of the overlying material compresses the voids remaining between particles. Upon compression, alluvial deposits take up less space than before and the ground surface sinks. Subsidence can be a significant cause for concern because it can change the slope of land, thus affecting drainage patterns. Subsidence can cause damage to structures, hence a stipulation requiring the submittal of a Soils Report prior to final plat.
17. Public school providers are the Litchfield Elementary School District and the Agua Fria Union High School District. Approximately 250 school-age children are expected at Russell Ranch upon build-out. During the initial phase of development, the applicant had declined to negotiate with the school districts to off-set costs associated with increased demand for public school services. The Litchfield Elementary School District had requested \$1000 per dwelling unit for the project.

Staff is unaware of any progress made towards possible negotiations; however, none of the school districts has offered comment with respect to the current case.

### **Adjacent Road Status:**

18. **Citrus Road:** County maintained, 2-lane, paved road within a 55' existing half-width right-of-way. Dedications for additional ROW occurred subsequent to the approval of Z2000093. No further ROW dedications are required for this alignment.
19. **Camelback Road:** County maintained, 2-lane, paved road within a 65' existing half-width right-of-way. Dedications for additional ROW occurred subsequent to the approval of Z2000093. No further ROW dedications are required for this alignment.
20. **Bethany Home Road:** County maintained, 2-lane, paved road within a 33' existing half-width right-of-way. The applicant will dedicate an additional 22' for a total half-width of 55' adjacent to the subject site.
21. **181<sup>st</sup> Avenue:** County maintained, 2-lane collector route within a 30' half-width ROW. An additional 30' of ROW will be dedicated to the county as part of the final platting activity for the subject site.

### **Utilities and Services:**

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|-----|---------------------------|---|
| 22. | <b>Water:</b>             | Arizona American Water Company                                    |
| 23. | <b>Wastewater:</b>        | Wastewater Treatment Facility (under Special Use Permit Z2001017) |
| 24. | <b>Electric:</b>          | Arizona Public Service (APS)                                      |
| 25. | <b>Telephone:</b>         | Qwest Communications and/or COX Communications                    |
| 26. | <b>Fire Protection:</b>   | Rural/Metro Fire Department                                       |
| 27. | <b>Police Protection:</b> | Maricopa County Sheriff's Office                                  |
| 28. | <b>Public Schools:</b>    | Litchfield ESD, Agua Fria HSD                                     |
| 29. | <b>Refuse Collection:</b> | Private (undetermined)  |
| 30. | <b>Natural Gas:</b>       | Southwest Gas (SWG)   |
| 31. | <b>Irrigation:</b>        | N/A   |

## Background:

32. **September 21, 2000:** The Planning and Zoning Commission approved case S2000045, a request for a preliminary plat in the R1-18 RUPD and C-2 PD zoning districts, along with Road Waivers to the mid-section line alignments for Missouri Avenue and 183<sup>rd</sup> Avenue, subject to the following stipulations:
- a. The final plat shall be generally consistent with the preliminary plat entitled "Russell Ranch", consisting of 5 full-size sheets prepared by Hook Engineering, Inc., dated revised August 28, 2000, and stamped received August 28, 2000, except as modified by the following stipulations.
  - b. Prior to final plat approval, Improvement, Grading and Drainage Plans as well as a Final Drainage Report shall be submitted to and approved by the Maricopa County Flood Control District. After final plat recordation and prior to any zoning clearance for building permits, the applicant shall obtain a final Grading and Drainage and Infrastructure permit from Maricopa County.
  - c. The final plat shall include dedication of right-of-way as required by the related zone change request (Z2000093) and as deemed necessary by the Maricopa County Department of Transportation unless the required dedication has been completed by deed of dedication prior to the final plat approval.
  - d. The applicant shall contact the State Historic Preservation Office to determine if a survey of the subject property for cultural resources is necessary. A letter from the State Historic Preservation Office with the determination shall be provided to staff. If a survey is necessary, the applicant shall submit the survey to the State Historic Preservation Office for review and comment prior to final plat approval for any plat.
  - e. Prior to final plat approval for any portion or phase of this development, a Special Use Permit shall be obtained for the wastewater treatment plant.
  - f. Prior to final plat approval, Water, Sewer, and wastewater treatment plant plans shall be submitted to and approved by the Maricopa County Department of Environmental Services.
  - g. Prior to or concurrent with the submittal of a final plat for any portion or phase of this development, a final landscape plan shall be submitted which is generally consistent with the conceptual landscape plan.

- h. Common open spaces, where appropriate, shall incorporate recreational facilities. Such facilities could include ballfields, ball courts, playground/tot lot type equipment, and picnic facilities. A detailed description of such facilities shall be included with the final landscape plan.
- i. Written notification shall be provided to all future homeowners that they are located within the state-defined *territory in the vicinity of a military airport* and may be subject to loud noise from military aircraft. Such notification shall be recorded on all final plats, be posted in Russell Ranch home sales office(s) on not less than an 8 ½ x 11 sign in a prominent location, and be included in all covenants, conditions, and restrictions (CC&Rs).
- j. Prior to final plat approval, the applicant shall provide the Maricopa County Department of Transportation with documentation showing adjacent owner support of the 183<sup>rd</sup> road waiver.
- k. Prior to final plat approval, a “will serve” letter from an approved refuse collection service and refuse disposal facility shall be submitted to the Maricopa County Environmental Services Department.
- l. Internal and perimeter walls shall be limited to 6’ in height.
- m. Prior to final plat approval, the applicant shall obtain required clearances and/or approvals for the newly formed sewage company from Maricopa Association of Governments, Arizona Department of Environmental Quality, Arizona Corporation Commission, and Maricopa County Environmental Services Department.
- n. Prior to final plat approval, the applicant shall submit a “will serve” letter from Citizen’s Utility Company.
- o. A 100-year Assured Water Supply Certificate shall be required for the site prior to final plat approval.
- p. Relocation of lots will require a re-plat of Russell Ranch.
- q. Prior to final plat approval, an investigation of the site shall be conducted by a licensed engineer. The investigation shall include a report submitted to the Planning and Development Department that identifies any fissures present on the site or surrounding area that may affect the site. The report shall further include suggested methods to mitigate damage to homes and infrastructure that may result from those fissures. The final



plat shall include a note stating that earth fissures may be present on the site.

- r. The applicant shall comply with the standard assurance provisions as set forth in the Maricopa County Subdivision Regulations.
  - s. Preliminary plat approval shall expire one (1) year from the date of Commission approval. Any request for an extension of time shall be submitted prior to the expiration date in accordance with Article II, Section 202 of the Maricopa County Subdivision Regulations.
33. **October 18, 2000:** The Board of Supervisors approved case CPA2000007, a request for a Plan Amendment to the White Tank Agua Fria Policy and Development Guide, to change the subject property's land use designation from Agriculture (0-1 d.u./ac.) to Urban Residential (1-2 d.u./ac.). Approval was subject to the following stipulations:
- a. Development and use of the site shall comply with the narrative report entitled "Russell Ranch", consisting of 33 pages prepared by Hook Engineering, Inc., dated August 28, 2000 and stamped received August 28, 2000 except as modified by the following stipulations.
  - b. Development of the site shall be limited to 493 total residential lots for an overall gross density of 1.68 dwelling units per acre.
  - c. Any future changes to Russell Ranch with regard to use and intensity must be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission.
34. **October 18, 2000:** The Board of Supervisors approved case Z2000093, a request to rezone the Russell Ranch property from Rural-43 to R1-18 RUPD and C-2 PD. Approval was subject to the following stipulations:
- a. Development and use of the site shall comply with the site plan entitled "Russell Ranch Preliminary Plat", consisting of 5 full-size sheets prepared by Hook Engineering, Inc., dated revised August 28, 2000 and stamped received August 28, 2000, except as modified by the following stipulations.
  - b. Development and use of the site shall comply with the narrative report entitled "Russell Ranch", consisting of 33 pages prepared by Hook Engineering, Inc. dated revised August 28, 2000, and stamped received August 28, 2000, except as modified by the following stipulations.

- c. Development and use of the site shall comply with the landscape plan entitled "Conceptual Landscape Plan", consisting of 2 full-size sheets, dated revised August 28, 2000, and stamped received August 28, 2000, except as modified by the following stipulations.
- d. Russell Ranch shall be limited to a maximum of 493 dwelling units.
- e. The final plat shall correctly reflect the density of 1.68 dwelling units per acre as is consistent with the narrative report.
- f. Not less than 22.65 acres shall be set aside for common open space.
- g. All irrigation of common areas shall be in compliance with Arizona Department of Water Resources regulations. When sufficiently available, all irrigation of common areas shall be done entirely with treated effluent.
- h. To help mitigate the impact of noise from military aircraft, all residential dwelling units shall be constructed to achieve a 25-decibel noise reduction. The final plat shall include a note stating this requirement.
- i. The Russell Ranch Homeowners Association shall be responsible for the maintenance and upkeep of all private roads, common open spaces and facilities, parks, roadway landscaping, landscaping within the public right-of-way adjacent to all public and private roadways, and of pedestrian and bicycle paths.
- j. Dedication of additional rights-of-way to bring the total half-width dedication to 55' for Citrus Rd., 55' for Bethany Home Rd. and 65' for Camelback Rd. shall occur within 6 months of approval of this request by the Board of Supervisors, and prior to zoning clearance.
- k. All interior streets within the proposed development are to be constructed to minimum County standards.
- l. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the right-of-way.
- m. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- n. A Plan of Development overlay shall be included on the commercial portion of this project.

- o. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department.
  - p. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All H.V.A.C. units shall be ground-mounted.
  - q. Major changes to this plan of development (the site plan and narrative report) shall be processed as a revised application in the same manner as this application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department, Project Management Division.
  - r. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
35. **July 19, 2001:** The Planning and Zoning Commission approved case S2001024, a request for a revised preliminary plat for the eastern 153.54 acres of the Russell Ranch property, which included the subject site. Said request included a road waiver and the use of temporary septic systems on 45 lots. Approval was subject to the following stipulations:
- a. The final plat shall be generally consistent with the preliminary plat entitled "Russell Ranch", consisting of five full-size sheets prepared by Hook Engineering, Inc., date-stamped June 29, 2001, and stamped received June 29, 2001 except as modified by the following stipulations.
  - b. Prior to final plat approval, Improvement, Grading and Drainage Plans as well as a Final Drainage Report shall be submitted to and approved by the Maricopa County Flood Control District. After final plat recordation and prior to any zoning clearance for building permits, the applicant shall obtain a final Grading and Drainage and Infrastructure permit from Maricopa County.
  - c. The final plat shall include dedication of right-of-way as required by the related zone change request (Z2000093) and as deemed necessary by the Maricopa County Department of Transportation unless the required dedication has been completed by deed of dedication prior to the final plat

approval. The applicant shall dedicate 36' right-of-way for 181<sup>st</sup> Avenue with this phase of the project.

- d. The applicant shall contact the State Historic Preservation Office to determine if a survey of the subject property for cultural resources is necessary. A letter from the State Historic Preservation Office with the determination shall be provided to staff. If a survey is necessary, the applicant shall submit the survey to the State Historic Preservation Office for review and comment prior to final plat approval for any plat.
- e. Prior to final plat approval, Water and Sewer plans shall be submitted to and approved by Maricopa County Environmental Services Department – Water and Wastewater Division (MCESD).
- f. The applicant shall provide MCESD with an executed Sewer Service Agreement from the public or franchised sewer authority for each dry sewer subdivision.
- g. The dry sewer plans and specifications shall be submitted to MCESD for review and approval. Evidence of approval of the plans by the public or franchised sewer authority shall also be required.
- h. The developer shall be informed that arrangements must be made with the public or franchised sewer authority or the engineer of record for sewer line testing, inspection, and construction approval of the dry sewer.
- i. The developer shall be informed that “as-built” plans for dry sewer system shall be prepared and submitted to this Division, together with an Engineer’s Certificate of Completion (both from a Professional Engineer in the State of Arizona).
- j. Prior to or concurrent with the submittal of a final plat for any portion or phase of this development, a final landscape plan shall be submitted which is generally consistent with the conceptual landscape plan.
- k. Common open spaces, where appropriate, shall incorporate recreational facilities. Such facilities could include ballfields, ball courts, playground/tot lot type equipment, and picnic facilities. A detailed description of such facilities shall be included with the final landscape plan.
- l. Written notification shall be provided to all future homeowners that they are located within the state-defined *territory in the vicinity of a military airport* and may be subject to loud noise from military aircraft. Such notification shall be recorded on all final plats, be posted in Russell Ranch

home sales office(s) on not less than an 8.5" x 11" sign in a prominent location, and be included in all covenants, conditions, and restrictions (CC&Rs).

- m. Written notification shall be provided to all future homeowners that they are located within close proximity of a wastewater treatment plant and may be subject related noise and odors. Such notification shall be recorded on all final plats, be posted in Russell Ranch home sales office(s) on not less than an 8.5" x 11" sign in a prominent location, and be included in all covenants, conditions, and restrictions (CC&Rs).
- n. Prior to final plat approval, the applicant shall provide the Maricopa County Department of Transportation with documentation showing adjacent owner support of the 183<sup>rd</sup> Avenue and Missouri Avenue road waivers.
- o. Prior to final plat approval, a "will serve" letter from an approved refuse collection service and refuse disposal facility shall be submitted to the Maricopa County Environmental Services Department.
- p. Internal and perimeter walls shall be limited to 6' in height.
- q. Prior to final plat approval, the applicant shall submit a "will serve" letter from Citizen's Utility Company.
- r. A 100-year Assured Water Supply Certificate from the Arizona Department of Water Resources shall be required for the site prior to final plat approval.
- s. Any relocation of lots which negatively impacts the size or location of any open space, trails, or project amenities will require a re-plat of Russell Ranch.
- t. Prior to final plat approval, an investigation of the site shall be conducted by a licensed engineer. The investigation shall include a report submitted to the Planning and Development Department that identifies any fissures present on the site or surrounding area that may affect the site. The report shall further include suggested methods to mitigate damage to homes and infrastructure that may result from those fissures. The final plat shall include a note stating that land subsidence and earth fissures may be present on the site.
- u. The applicant shall comply with the standard assurance provisions as set forth in the Maricopa County Subdivision Regulations.

- v. Preliminary plat approval shall expire one (1) year from the date of Commission approval. Any request for an extension of time shall be submitted prior to the expiration date in accordance with Article II, Section 202 of the Maricopa County Subdivision Regulations.
36. **July 25, 2001:** The Planning and Zoning Commission recommended approval of case Z2001017 (Special Use Permit for a wastewater treatment plan in the R1-18 R.U.P.D. zoning district) subject to the following stipulations:
- a. Development of the site shall comply with the site plan and landscape plan entitled "Russell Ranch SUP Site Plan" consisting of two full-size sheets, dated April 2001, and stamped received April 18, 2001, except as modified by the following stipulations.
  - b. Development shall be in conformance with the narrative report entitled "Russell Ranch - WWTP", consisting of 23 pages dated revised April 17, 2001 and stamped received April 18, 2001 except as modified by the following stipulations.
  - c. Oleanders are not allowed in the county right-of-way.
  - d. Prior to zoning clearance, for the wastewater treatment and disposal facility, the following agencies must be contacted for clearances and/or approvals: Maricopa Associations of Governments, Arizona Department of Environmental Quality, Arizona Corporation Commission, and Maricopa County Environmental Services Department (MCESD).
  - e. The applicant shall submit a written report outlining the status of the development at the end of five years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
  - f. This Special Use Permit shall expire 25 years from the date of approval by the Board of Supervisors or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
  - g. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

- h. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
  - i. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.
37. **August 14, 2001:** A final plat under case S2001008 was recorded for Russell Ranch Phase I under MCR 570-02.
38. **June 18, 2003:** A final plat under case S2001089 was recorded for Russell Ranch Phase II under MCR 640-22.

**Reviewing Agencies:** (The request was reviewed at the TAC meeting of March 18, 2003.)

39. **Department of Transportation:** No objection
40. **Environmental Services Department:** No objection.
42. **Flood Control District:** No objection with the following comments/stipulations:
- Prior to final plat approval, the final grading, drainage, and paving plans, in conjunction with a final drainage report must be submitted for review and approval by our office to ensure consistency with the preliminary drainage report and preliminary plat. The grading and drainage plans must include typical lot details in plan and profile view reflecting high and low out-fall points, on-lot retention basins, pad elevations, fence, finished floor elevations, and local on-lot drainage conditions. The final drainage report and grading and drainage plans must be signed and stamped by an Arizona Registered Professional Civil Engineer.
- FCD has also indicated verbally that no entitlement should be inferred with respect to Lots 195 through 218. Prior to the development of these lots, a separate "Phase V" preliminary plat case will be required.
43. **City of Glendale:** The City of Glendale has indicated that the proposed subdivision is not in conformance with their updated Comprehensive Plan; however, Glendale has not indicated direct opposition to the case.

44. **Luke Air Force Base:** Luke AFB states that the site is located within the state-defined "Territory in the Vicinity of a Military Airport"; therefore, sound attenuation measures apply. Luke further recommends that the applicant engage in an active outreach program to advise prospective residents of the intensity and frequency of Luke's operations.
45. **Other Agencies:** The City of Goodyear, Town of Buckeye, Agua Fria High School District, Litchfield Elementary School District, Arizona Department of Commerce and the West Valley Alliance were routed this request; however, no response has been received from these agencies to date.

## Discussion and Evaluation:

46. Policy L4.3 of *Eye to the Future 2020*, the Maricopa County Comprehensive Plan, encourages development patterns and standards compatible with the continuing operation of military airports. This policy is especially important in the West Valley and at the subject site because of its proximity to Luke Air Force Base. While the subject property is not within the 1988 JLUS noise contours, it may nevertheless be subject to overflights by military aircraft. Further, the site is located within "territory in the vicinity of a military airport". ARS §28-8484A states that "*Any transfer of residential real property, and any transfer of residential real property requiring a public report pursuant to section 32-2181 or 32-2195, that is located within territory in the vicinity of a military airport shall include a statement that the property is located within territory in the vicinity of a military airport.*" Staff recommends as a stipulation of preliminary plat approval that such a note be included on the final plat as well as disclosure of same in any conveyance documents.
47. While the original preliminary plat indicated lots extending down to Camelback Rd., this configuration has been revised to reflect FCD concerns over the fact that an upstream FCD study has not been completed, which may influence the capacity of any channels occurring along this frontage. Staff, therefore, recommends that the current platting activity be limited to Lots 1 through 194 as shown on the proposed preliminary plat. Prior to developing any lots within the Phase V boundary as shown on this plat would be subject to additional review under separate preliminary plat case.
48. With the previous preliminary plat, staff recommended that the applicant contact the State Historic Preservation Office (SHPO) to determine if a cultural resources survey would be necessary for the site. Also with the previous preliminary plat, staff recommended that a geotechnical report be submitted prior to final plat. These stipulations have been carried forward here.



49. During the earlier entitlement work for Russell Ranch, the applicant was advised by MCDOT to obtain a statement from the developers of the Savannah property attesting to the fact that they would not be seeking to develop the 183<sup>rd</sup> Ave. right-of-way. This would now seem to be a non-issue since the zoning and preliminary plat for the Savannah property was approved with the waiver of the 183<sup>rd</sup> Ave alignment.

**Recommendation:** (S2003010)

50. Staff recommends approval of S2003010, a revised preliminary plat for Phases III and IV of Russell Ranch, for the following reasons:
- The preliminary plat complies with all applicable subdivision regulations and the R1-18 RUPD development standards approved under Z2000093.
  - Reviewing agencies have no objections that are not addressed by the following stipulations.

Subject to the following stipulations:

- a. The final plat shall be generally consistent with the preliminary plat entitled "Preliminary Plat for Phases III & IV Russell Ranch", consisting of 3 full-size sheets prepared by SEC Engineering Company, dated revised January 23, 2004, and stamped received January 23, 2004, except as modified by the following stipulations.
- b. The final plat shall be generally consistent with the narrative report entitled "Russell Ranch Narrative Report", consisting of 4 pages, dated August 20, 2003 and stamped received August 26, 2003, except as modified by the following stipulations.
- c. Compliance with the applicable stipulations of Z2000093.
- d. Lots 195 through 218 are specifically not approved under this preliminary plat request. Prior to the development of any lots south of the Phase IV/Phase V phase line as shown on the preliminary plat referenced in stipulation "a" above, a preliminary plat must be approved under a separate case.
- e. Prior to final plat approval, the final grading, drainage, and paving plans, in conjunction with a final drainage report must be submitted for review and approval by our office to ensure consistency with the preliminary drainage report and preliminary plat. The grading and drainage plans must include typical lot details in plan and profile view reflecting high and low out-fall points, on-lot retention basins, pad elevations, fence, finished

floor elevations, and local on-lot drainage conditions. The final drainage report and grading and drainage plans must be signed and stamped by an Arizona Registered Professional Civil Engineer.

- f. The final plat shall include dedication of right-of-way as required by the related zone change request (Z2000093) and as deemed necessary by the Maricopa County Department of Transportation unless the required dedication has been completed by Map of Dedication prior to the final plat approval.
- g. The applicant shall contact the State Historic Preservation Office to determine if a survey of the subject property for cultural resources is necessary. A letter from the State Historic Preservation Office with the determination shall be provided to staff. If a survey is necessary, the applicant shall submit the survey to the State Historic Preservation Office for review and comment prior to final plat approval.
- h. Prior to or concurrent with the submittal of a final plat for any portion or phase of this development, a final landscape plan shall be submitted which is generally consistent with the conceptual landscape plan.
- i. Common open spaces, where appropriate, shall incorporate recreational facilities. Such facilities could include ballfields, ball courts, playground/tot lot type equipment, and picnic facilities. A detailed description of such facilities shall be included with the final landscape plan.
- j. Written notification shall be provided to all future homeowners that they are located within the state-defined *territory in the vicinity of a military airport* and may be subject to loud noise from military aircraft. Such notification shall be recorded on all final plats, be posted in Russell Ranch home sales office(s) on not less than an 8 ½ x 11 sign in a prominent location, and be included in all covenants, conditions, and restrictions (CC&Rs).
- k. Prior to final plat approval, a “will serve” letter from an approved refuse collection service and refuse disposal facility shall be submitted to the Maricopa County Environmental Services Department.
- l. Internal and perimeter walls shall be limited to 6’ in height.
- m. A 100-year Assured Water Supply Certificate shall be required for the site prior to final plat approval.
- n. Relocation of lots will require a re-plat of Russell Ranch.

- o. Prior to final plat approval, an investigation of the site shall be conducted by a licensed engineer. The investigation shall include a report submitted to the Planning and Development Department that identifies any fissures present on the site or surrounding area that may affect the site. The report shall further include suggested methods to mitigate damage to homes and infrastructure that may result from those fissures. The final plat shall include a note stating that earth fissures may be present on the site.
- p. The applicant shall comply with the standard assurance provisions as set forth in the Maricopa County Subdivision Regulations.
- q. Preliminary plat approval shall expire one (1) year from the date of Commission approval. Any request for an extension of time shall be submitted prior to the expiration date in accordance with Article II, Section 202 of the Maricopa County Subdivision Regulations.

rhk

Attachments: Case maps  
Vicinity map  
Preliminary Plat (3 pages, 8-1/2 by 11" reduction)  
MCDOT memo  
FCD memo  
ESD sign-off  
Luke AFB letter  
City of Glendale letter

Enclosures: Narrative Report (4 pages)  
Preliminary Plat (3 sheets, 11" by 17" reduction)

[Full size copies of the preliminary plat are available upon request]